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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,446

03/26/2004

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Q79459

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23373 7590 06/13/2007  
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EXAMINER

VERDI, KIMBLEANN C

ART UNIT

PAPER NUMBER

2194

MAIL DATE

DELIVERY MODE

06/13/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/809,446

Applicant(s)

BRUECKNER ET AL.

Examiner

Kacy Verdi

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

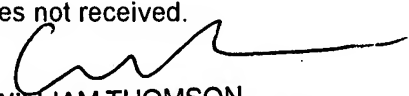
### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date March 26, 2004.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This office action is in response to the Application filed on March 26, 2004. Claims 1-18 are pending in the current application.

#### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Abstract exceeds the limit of 150 words.

2. The disclosure is objected to because of the following informalities:
  - a. page 14, paragraph [052], line 2, the recitation "... step 206..." should be "... step 221,...";
  - b. page 14, paragraph [055], line 2, the recitation "... step 206..." should be "... step 221,...".
  - c. Appropriate correction is required.
3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

- a. claim 7 refers to a computer program product comprising a computer-readable medium, however the specification does not disclose a computer – readable medium; and
- b. claim 8 refers to a computer program product comprises a digital storage medium, however the specification does not disclose a digital storage medium.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent 5,363,484 to Desnoyers et al. (hereinafter Desnoyers).

7. As to claim 1, Desnoyers teaches the invention substantially as claimed including a method for accessing a command unit for a data network, comprising:

operating a plurality of applications in a subscriber (e.g. plurality of computer systems 12-15, Fig. 1, of combiner memory system 11, Fig. 1) of the data network such that the applications access a data bus of the subscriber (e.g. HIPPI bus, col. 3, lines 35-36);

by a first one of the applications (source computer 12-15, Fig. 1, col. 4, line 6), writing at least one command structure (e.g. message contains command) into an address space of a memory of the subscriber via the data bus (col. 4, lines 9-13);

by the first one of the applications, writing a pointer to the address space (e.g. address of input buffer is stored in linked list 110, Fig. 5) into an input register of the command unit via the data bus (col. 6, lines 52-57);

by the command unit (e.g. command interpreter), accessing the address space (e.g. input buffer) via the data bus and processing the command structure (col. 6, lines 46-49); and

after the subscriber (e.g. combiner memory system 11, Fig. 1 has processed the command structure, writing the pointer into an output register (e.g. output buffer) that is assigned to the first one of the applications (col. 6, lines 39-42).

8. As to claim 2, Desnoyers teaches the method as claimed in claim 1, further comprising controlling access to the data bus by an arbiter unit (col. 16, lines 41-42), such that access is allowed for a predefined number of bus cycles (col. 17, lines 6-8) and such that the predefined number of bus cycles is sufficient for writing the pointer into the input register (e.g. data buffer, col. 19, line 37).

9. As to claim 3, Desnoyers teaches the method as claimed in claim 1, wherein the command structure includes an acknowledge field (e.g. block count), and wherein the method further comprises:

after writing the pointer by the subscriber, blocking the input register (e.g. buffer full, col. 6, lines 30-34 and 42-46);

by the subscriber, writing an acknowledgment into the acknowledge field (e.g. "busy acknowledge", col. 8, lines 22-28);

after the acknowledgment, enabling the input register by the subscriber (e.g. "Read Input Buffer Data", "Select Input Buffer", col. 8, lines 35-37).

10. As to claim 4, Desnoyers teaches the method as claimed in claim 3, further comprising:

after writing the pointer, reading (e.g. request) the input register by the first one of the applications (step 608, Fig. 10B);

by the first one of the applications, checking whether the input register includes the pointer (e.g. error bit set, col. 7, lines 9-11);

if the input register does not include the pointer, checking whether the acknowledgement has been stored in the acknowledge field (e.g. block count zero, col. 10, lines 27-29).

11. As to claim 5, Desnoyers teaches the method as claimed in claim 1, wherein the command structure includes executable commands (e.g. command CND, Fig. 3, header page) and user data (e.g. data page, starts at DW4, Fig. 3, col. 4, lines 12-35).

12. As to claim 6, Desnoyers teaches the method as claimed in claim 1, wherein the first one of the applications writes a plurality of interlinked command structures into the memory (col. 4, lines 9-12, and col. 6, lines 55-60); and

wherein the pointer points to the address space of a first one of the command structures of the plurality of interlinked command structures (linked list 110, Fig. 5, col. 6, lines 52-60).

13. As to claim 7, Desnoyers teaches a computer program product for an application of a subscriber of a data network, wherein the application accesses a data bus for a plurality of applications of the subscriber, wherein the subscriber has an input register and an output register assigned to the application, the computer program product comprising:

a computer readable medium (BSM's 30-33, Fig. 2); and

computer-readable instructions on the computer-readable medium (BIL 20-23, switch 25, lock/configuration mechanism 27, Fig. 2) enabling a processor to perform the following operations:

writing a command structure (e.g. message contains command) into an address space of a memory of the subscriber via the data bus (col. 4, lines 9-13);

writing a pointer to the address space (e.g. address of input buffer is stored in linked list 110, Fig. 5) into the input register of the command unit via the data bus (col. 6, lines 52-57); and

reading (e.g. request) the input register (step 608, Fig. 10B) to check whether the command unit has acknowledged the command structure (e.g. block count zero, col. 10, lines 27-29).

14. As to claim 8, this claim is rejected for the same reason as claim 7, see the rejection to claim 7 above.

15. As to claim 9, this claim is rejected for the same reason as claim 4, see the rejection to claim 4 above.

16. As to claim 10, this claim is rejected for the same reason as claim 6, see the rejection to claim 6 above.

17. As to claim 11, Desnoyers teaches a computer program product as claimed in claim 7, wherein the output register (e.g. output buffer) assigned to the application is read to check whether the command unit has processed the command structure (col. 6, lines 39-42).

18. As to claims 12-17, these claims are rejected for the same reasons as claims 1-6 respectively, see the rejections to claims 1-6 above.

19. As to claim 18, this claim is rejected for the same reason as claim 1, see the rejection to claim 1 above.

### ***Conclusion***

20. The prior art made of record on the accompanying PTO-892 and not relied upon, is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kacy Verdi whose telephone number is (571) 270-1654. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm EST..

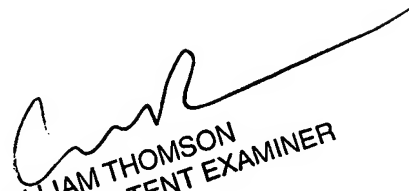
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2109

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 11, 2007  
KV

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER